

Rec'd PCT/PTO 18 DEC 2006

12/18/06 MON 17:18 FAX 617 535 3869

MCDERMOTT WILL & EMERY

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McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

FACSIMILE

Date: 18 December 2006

Time Sent:

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|----------------------------|--------------------------|--|----------------------|
| To: | Company: USPTO | Facsimile No: 571-273- ³²⁰¹ 8300 | Telephone No: |
| From: | G. Matthew McCloskey | Direct Phone: | 617.535.4082 |
| E-Mail: | mmccloskey@mwe.com | | |
| Sent By: | Erin M. Olson | Direct Phone: | 617.535.38953 |
| Client/Matter/Tkpr: | 059380-0050-08657 | | No |
| | | Number of Pages, Including Cover: | 7 |

Message:

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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.

Main Facsimile: 617.535.3800 Facsimile Operator: 617.535.4000

U.S. practice conducted through McDermott Will & Emery
28 State Street Boston, Massachusetts 02109-1775
BST99 1427125-1.T03792.0011

Telephone: 617.535.4000

PAGE 1/7 * RCVD AT 12/18/2006 4:20:16 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-1/16 * DNIS:2733201 * CSID:617 535 3869 * DURATION (mm-ss):02-30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: D. Slafer
Serial No. 10/588,098
Filing Date January 21, 2005
Title: Apparatus and Method for Manufacturing Pre-Formatted Linear Optical Data Storage Medium
Docket: 059380-0050

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Mail Stop PCT, Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted (571-273-8300) to the USPTO, on the date indicated below.
Date: 18 December 2006


Erin M. Olson

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Enclosed herewith for filing in connection with the above-identified patent application are the following:

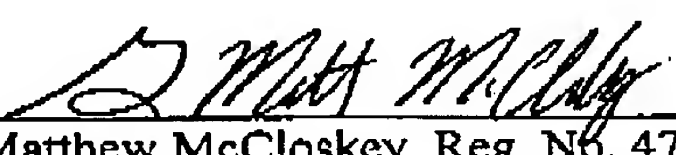
- 1) Response To Notice to File Missing Requirements; and
- 2) Copy of Notice to File Missing Requirements Under 35 USC 371 dated October 30, 2006; and
- 3) Declaration and Power of Attorney

The Commissioner is hereby authorized to charge the surcharge fee of \$65.00, further fees which may become due, or credit any overpayment, to Deposit Account Number 50-1133.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 18 December 2006


G. Matthew McCloskey, Reg. No. 47,025
28 State Street
Boston, MA 02109-1775
Telephone: (617) 535-4000
Facsimile: (617) 535-3800

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: D. Slafer
Serial No. 10/588,098
Filing Date January 21, 2005
Title: Apparatus and Method for Manufacturing Pre-Formatted Linear Optical Data Storage Medium
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Date: 18 December 2006


Erin M. Olson

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Dear Sir:

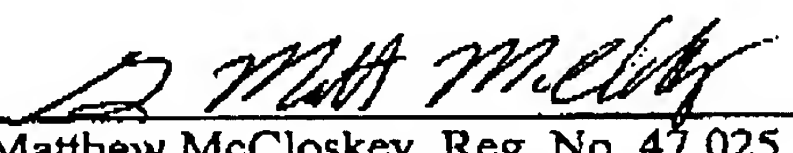
In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated October 30, 2006, Applicant encloses an executed Declaration and Power of Attorney for Patent Application.

The Commissioner is hereby authorized to charge the surcharge fee of \$65.00, further fees which may become due, or credit any overpayment, to Deposit Account Number 50-1133.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 18 December 2006


G. Matthew McCloskey, Reg. No. 47,025
28 State Street
Boston, MA 02109-1775
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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| | | |
|-----------------------------|-----------------------|----------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/588,098 | W. Dennis Slafer | 59380-050 (MCMK-004) |

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| INTERNATIONAL APPLICATION NO. |
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| PCT/US05/01856 |
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| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

| | |
|------------|------------|
| 01/21/2005 | 01/21/2004 |
|------------|------------|

Toby H. Kusmer
McDermott Will & Emery
28 State Street
Boston, MA 02109

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NOV 02 2006

MW&E

CONFIRMATION NO. 4357
371 FORMALITIES LETTER
OC000000021026629

Date Mailed: 10/30/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/28/2006
- Copy of the International Search Report filed on 07/28/2006
- Information Disclosure Statements filed on 07/28/2006
- U.S. Basic National Fees filed on 07/28/2006
- Priority Documents filed on 07/28/2006
- Specification filed on 07/28/2006
- Claims filed on 07/28/2006
- Abstracts filed on 07/28/2006
- Drawings filed on 07/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

McDermott Will & Emery LLP
Re: MCMK-4
Action Date: 12/30/06
Action Due: MISS - FORMALITIES
Docketed By: fat Date: 11/3/06

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|----------------------|
| 10/588,098 | PCT/US05/01856 | 59380-050 (MCMK-004) |

FORM PCT/DO/EO/905 (371 Formalities Notice)